

Suzanne Steab - Re: Kinney #2 Mine DOGM RESPONSE

From: Joe Helfrich
To: Kevin_McAbee@fws.gov
Date: 9/17/2011 2:46 PM
Subject: Re: Kinney #2 Mine DOGM RESPONSE
CC: Ben Grimes; Carl Johnston; Suzanne Steab

Kevin,

Below each of your points are the DOGM responses.....Joe

>>> <Kevin_McAbee@fws.gov> 08/05/2011 4:06 PM >>>

Joe,

I need to clarify a few points with you before I can finalize the Kinney #2 mine consultation.

1) Can you clarify the language in your request for formal consultation for the Kinney #2 mine? For my records, am I correct in stating that you are requesting a no effect determination for Uintah basin hookless cactus, black footed ferret, and gray wolf and a likely to adversely affect determination for the 4 Colorado River fish species?

DOGM RESPONSE: Yes you are correct in that assumption.

2) You included an effects determination for the greater sage-grouse. However, this species is not Federally listed, but rather is a candidate. Therefore, we do not conduct formal consultation for this species, but can provide a concurrence under a conference consultation. Would you like to work under a conference consultation or omit greater sage-grouse from our concurrence? I will have our sage-grouse biologist look over the project for potential impacts to that species.

DOGM RESPONSE: Let's omit omit greater sage-grouse from your concurrence. I will notify the permittee of the current status.

3) The applicant used a species list for Carbon County from 2010. We have recently updated our species list on our website. As a result, we no longer consult on gray wolf in Carbon County. Please update your and your applicants' records with the new species list.

DOGM RESPONSE: I will notify the permittee of the current status of the Gray wolf and advise to update the MRP.

4) Can you please direct me to the exact page numbers that describe how the water depletion amount was quantified (61.4 acre feet per year)?

DOGM RESPONSE: During our teleconference with Carbon Resources rep Ben Grimes we requested that info. As I understood Ben will reply to you as to the location in the MRP where that number was derived.

5) In the effects analysis of T&E species in chapter 3 (page 3-6 through 3-9), the applicant concluded that there would be no effect to the listed fish species. This is incorrect based on your letter and the known water depletion impacts. Please make the applicant aware of this error for future documents. Also in the analysis, the applicant concluded that 'drainage control measures' adequately protect from downstream impacts. Can you please direct me to the exact page numbers that describe these control measures?

DOGM RESPONSE: I will notify the permittee and advise to update the MRP. I believe pages 97 and 98 of chapter 7 of the MRP address the drainage controls for the Kinney mine. There may be additional info in chapter 7 that I left with you during our 9/15 meeting.

6) Please provide me with the exact address for your office and OSM, so that my response letter can reach your offices effectively.

DOGM RESPONSE: The Contact at OSM is Carl Johnston, Suzanne Steab from our office can provide you with the correct mailing addresses.

Thanks again with your help on this project.....Joe

Once you provide me with this information I can finalize our office's response letter for this project. Thanks for your help.

Kevin

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I never drink water because of the disgusting things that fish do in it --WC Fields